IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 2ND AUGUST 2007 / 11TH SRAVANA 1929

MACA.No. 1209 of 2006()
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OPMV.2725/1999 of MOTOR ACCIDENT CLAIMS TRIBUNAL, THRISSUR
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APPELLANT/PETITIONER
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SREE KUMAR,S/O NARAYAN NAIR,
KARAVAATTIL HOUSE,VADANAMKURSSI P.O.,
PALAGHAT DISTRICT.

BY ADV. SRI.DILIP J. AKKARA

RESPONDENTS: RESPONDENTS
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1. SURESH KUMAR,S/O AYYAPPAN,
VALIYAPARAMBIL HOUSE,THIRUVILLWAMALA P.O.,
MALAVATTOM, PIN-680 588.

2. P.A.USANNAN,PALLIVASAL HOUSE,
PATTIPARAMBU P.O.,VIA THIRUVILLWAMALA,
THRISSUR.

3. THE UNITED INDIA INSURANCE CO.LTD.,
BRANCH OFFICE, FAISAL BUILDING,
MAIN ROAD, OTTAPALAM.

BY ADV. SRI.A.R.GEORGE

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR ADMISSION ON 02/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**J.B.KOSHY & V.GIRI,JJ.**

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**CMA 1320 of 2006 in MACA No.1209/2006**

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Dated this the 2nd day of August, 2007

**ORDER**

Koshy, J.

This is a petition to condone the delay of 982 days in filing the appeal against the award of the MACT. The accident occurred on 8.11.1999 and the application was also filed in 1999. The award was passed on 23rd July 2003. Certified copy was applied for only on 17.9.2004 and a copy was obtained on 5.10.2004. Even though it is stated that he was unable to travel, no medical evidence was produced. Permanent Disability Certificate was produced by the appellant showing that there is 12% disability. Rs.46,700/= was awarded by the Tribunal with 9% interest from the date of application. Since no valid grounds are stated for condoning the delay, delay condonation petition is dismissed.

**J.B.KOSHY, JUDGE**

**V.GIRI,JUDGE**

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**J.B.KOSHY & V.GIRI,JJ**.

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**MACA No.1209/2006**

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Dated this the 2nd day of August, 2007

**JUDGMENT**

Koshy, J.

In view of the order in CMA No.1320/2006, this appeal is dismissed.

**J.B.KOSHY, JUDGE**

**V.GIRI,JUDGE**

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